

DRAFT

STATEMENT OF WORK

Technical Support for Performance-Based Environmental Programs: Development, Operations, Member Benefits, Planning, and Outreach

The Office of Policy, Economics, and Innovations (OPEI) promotes innovation that achieves greater and more cost-effective public health and environmental protection. OPEI supports and oversees the testing of new and innovative approaches to environmental protection and related policy changes. OPEI represents concerns of local, state and federal governments; tribes; small business; and EPA managers and staff. OPEI provides services across all the Agency's Offices and Regions through collaboration and partnership with both internal and external stakeholder groups.

Within OPEI is the National Center for Environmental Innovation (NCEI). NCEI works with EPA programs, states, businesses, and communities to solve challenging environmental problems through new ideas, creative partnerships, and sound analysis. Within NCEI, are the Office of Business and Community Innovation (OBCI) and the Office of Environmental Policy Innovation (OEPI). OBCI is responsible for building and fostering systems and approaches that promote improved environmental performance by business and industry. This is accomplished through serving as the Agency lead for cross-media, sector-based, and performance-based approaches, promoting environmental practices to small business and assisting small business through legislation, education, and advocacy. OEPI works to test, evaluate, and integrate innovation into all aspects of environmental policy.

Within OBCI is the Performance Incentives Division. This Division is responsible for developing, operating, and providing outreach for the National Environmental Performance Track, a performance-based environmental program that is designed to encourage and recognize top environmental performers. Examples of other performance-based environmental programs include the Sector Strategies program, Smart Growth program, Small Business program, and the Innovation Pilots and Scale-up programs.

The purpose of this contract is to establish an on-going contracting mechanism in OPEI to satisfy specific support needs and to provide a mechanism that is responsive to evolving Agency policies and programs dealing with performance-based environmental programs, such as Performance Track. The Contractor shall perform research, collect data and materials, provide analysis of a policy, technical, economic, or statistical nature, and provide general program, information management, marketing, logistical, and meeting support in accordance with specific written Work Assignments. The Contractor shall perform work under this contract only as directed in Work Assignments issued by the Contracting Officer.

The Contractor shall furnish the necessary personnel, material, equipment, services, and

facilities (except as otherwise specified) to perform the Statement of Work/Specifications specified below. Contractor employees shall be clearly identified through the use of badges, posted signs, etc., and Contractor personnel must explain that they are Agency contractors. Further, the Contractor shall refer any questions regarding EPA policy or EPA interpretation directly to the Contract Officer (CO), Project Officer (PO), or Work Assignment Manager (WAM).

Background

Performance-based environmental programs are typically designed to facilitate and support voluntary partnerships with industry, government, and other stakeholders to reach common objectives. These partnerships are designed to help facilities (both public and private), companies, institutions, and communities improve their compliance records, achieve environmental protection beyond regulatory requirements, and to attain levels of environmental performance that benefit their workers, their communities, their customers, and the environment. The National Environmental Performance Track is an example of a voluntary performance-based environmental program which is designed to encourage and recognize top environmental performance. As part of membership in these environmental programs, members receive a range of incentives and benefits, including some to motivate further improvements.

Performance-based environmental programs are typically voluntary, public/private partnerships that encourage environmental excellence, involve communities in environmental protection, and focus on measurable results. Entities of all types, sizes, and complexities, public or private, manufacturing- or service-oriented, are involved in these programs.

For the Performance Track program, entry criteria include the following: facilities must have adopted and implemented an environmental management system (EMS), have a good compliance record, have a record of continuous improvement, and work with their local communities. Performance Track members commit to improvements in energy use, water use, materials use, air emissions, waste, preservation/restoration, discharges to water, product performance, supply chain management, product stewardship, etc.

Performance Track holds recruitment/application periods each year. Applications are reviewed and compliance histories are screened by EPA. Membership in these programs can enable facilities to implement flexible and potentially more efficient approaches to environmental protection. A range of incentives and benefits can be offered to members, including recognition (through press releases, website postings, special recognition at member events and meetings, use of program logo, etc.), participation in peer exchanges and meetings, information sessions with senior EPA officials, low priority for inspection, reducing reporting requirements, greater flexibility, and expedited permit reviews.

Since the inception of Performance Track, EPA has worked to collaborate with the States on innovative activities and performance-based programs to promote appropriate environmental

management approaches for regulated facilities. Since April 2002, EPA has signed five Memoranda of Agreement (MOA) with states (Texas, Colorado, Virginia, Massachusetts, and Tennessee). The purpose of these MOAs and our coordination activities is to establish mutual goals with these states so together we can develop and deliver regulatory and administrative incentives that would apply to facilities in these states' programs and EPA's Performance Track program. EPA intends to continue and expand its work with these states and others as together we strive to reduce the environmental impacts of facilities under our purview.

Work under this procurement will be primarily for issues related to developing and operating performance-based environmental programs, working to improve the environmental performance of facilities, companies, and institutions, and identifying and reducing barriers to these improvements. This procurement shall assist the Agency in advancing the development and use of performance-based environmental programs. This Statement of Work requires an interdisciplinary approach by the Contractor.

General Requirements

- (1) The contractor shall have working knowledge of various performance-based environmental programs managed by federal and state agencies, industry groups, and non-governmental organizations (NGOs), particularly Performance Track and similar programs.
- (2) In evaluating and performing the services required under this Statement of Work, the contractor shall certify that conclusions are based on available data and shall submit all relevant information used in developing conclusions or options to the WAM for review and approval.
- (3) Reports, papers, memos, brochures, slides, designs, etc. prepared by the contractor shall be first submitted in draft form to the WAM for review and approval, unless otherwise indicated by the WAM. These drafts shall include copies of the literature cited or make reference to all citations. Review of these drafts by EPA and others will be made in consultation with the Contractor before the final report is submitted. Depending on the Work Assignment, the reports shall be proofed and edited and reflect the sensitivities to programmatic issues and the intended audience(s).
- (4) If the contractor is authorized access to Confidential Business Information (CBI) and/or other classified information in accordance with the applicable provisions, then the Contractor shall prepare a Confidential Business Information Plan and shall maintain compliance with the plan after approval by EPA. The Contractor shall comply with all statutes, rules, regulations, and policies applicable to CBI. The Contractor's CBI security plan must be compatible with the Agency's *Security Plan for Confidential Business Information*.
- (5) When in attendance at program meetings, the contractor's attendance shall be limited to that portion of the activity for which the contractor is required in order to meet the requirements of the Work Assignment. Contractor employees shall identify themselves as contractor personnel in

all activities associated with work performed under the Work Assignment, and in attendance at meetings in conjunction with activities associated with the Work Assignment requirements.

(6) Reports submitted by the Contractor that rank policy or action alternatives for the Agency (which will be used by EPA personnel in developing policy) shall describe the procedures used to arrive at the recommendations. The reports shall summarize the substance of deliberation, report any dissenting views, list the sources relied upon, and make clear the methods and considerations upon which the recommendations and rankings are based.

(7) The Contractor shall inform the WAM when 75% and 90% of funds and hours have been expended on each project, and clearly indicate the completion of the period of performance on monthly invoices. In the monthly invoices, the Contractor shall also inform the WAM what percentage of the Work Assignment has been completed, and state whether it is on schedule to complete the project by the completion date.

(8) The Contractor may be asked to prepare electronic versions of draft and final documents, in either or both HTML and PDF. In all cases, documents shall comply with Section 508 requirements for accessibility (www.section508.gov), and EPA guidance where available.

Work Areas

EPA requires support in a number of areas that help in operating and managing performance-based environmental programs. EPA will issue individual Work Assignments in accordance with the appropriate section(s) of this solicitation. Support areas include:

- program operations – to develop, operationalize, and manage performance-based environmental programs;
- program incentives/benefits/member services – to provide value for joining a program and/or improve environmental protection; explore and develop incentives and benefits on a programmatic-, sector-, or facility-specific level; recognize and identify options to overcome barriers at both federal and state levels to implementing identified incentives and explore alternative mechanisms; create a more effective and efficient regulatory system;
- environmental management systems – to support program criteria, achieve continuous improvement, analyze their application, document results, and evaluate their impacts; understand how they are promoted by institutions and governmental agencies; explore options for delivering information and educational tools related to environmental management systems and their implementation;
- market research and outreach support – to recruit new members and increase participation in the program by stakeholders;
- program marketing/branding – to recruit and retain members and educate the public about a performance-based environmental program; and

- meeting planning/logistics/facilitation – to meet with and obtain feedback from program members, Regional, federal, and state partners, program network partners, and other stakeholders.

This support will include, but not be limited to, providing technical and policy analysis, technical assistance, policy advice, marketing, and meeting support.

A. Tasks Common to All Work Areas

1) Literature and Document Review

The contractor shall provide literature and technical reviews, analysis, and/or guidance on information related to the subject areas covered by this scope of work. Sources of information include books, reports, journal articles, conference proceedings, unpublished documents, proposed and existing federal and state legislation and related administrative and technical guidance and documents, and research reports. The contractor shall have the capability for quick turnaround reviews, as well as reviews requiring a more structured and longer process. These reviews shall include preparation of bibliographies. When required by the Work Assignment, bibliographies shall be annotated with the contractors providing summaries and/or evaluations of source documents.

2) Document Preparation

The contractor shall provide technical, administrative, editorial, and graphics assistance for the preparation of special reports, outreach documents, and briefing papers on issues related to the subject areas covered in the Work Assignments. These efforts shall include conducting information searches, technical writing, editing, graphics preparation, and report layout and production. These efforts shall also include the identification, selection, and use of individuals or teams with appropriate knowledge and expertise.

3) Peer Review

The contractor may be required to conduct peer review of any studies or analysis performed by the contractor or others. Peer Review will be performed in accordance with the *EPA Peer Review Guidelines*. The need for peer review will depend on the nature of the project, and will be performed at the request of the WAM.

4) Data Acquisition and Database Management

The Contractor shall collect and organize data to be used by the Agency in its analysis of technical issues related to subject areas covered by this Statement of Work. Using or adapting existing software applications programs, the Contractor shall design forms, collect and enter data, manipulate the data as required by the Work Assignments, and design and produce formal and ad hoc reports. The Contractor shall conduct these activities in such a way as to maintain the integrity of the data and shall institute data security measures as directed in the Work

Assignments, and provide all draft and final products in a format compatible with software applications readily available to EPA.

B. Specific Work Areas

1) Program Operations: Development/Implementation/Evaluation/Maintenance

Performance-based environmental programs tend to be dynamic. They often experience phases, revisions, and expansions during their life-spans. This work area includes the development, implementation, evaluation, revision, and day-to-day operations and maintenance of these programs. The work in this area may include but not be limited to:

- support ongoing or daily operations of the program – e.g., develop program application and annual report forms; facilitate the submission, review, processing, and completion of applications and annual reports; staff a hotline; answer questions from the public and program members; provide general technical assistance, including how to complete or revise applications and reports; communicate with members; collect, analyze, interpret, and provide QA/QC on data; develop, maintain, and use information management systems; develop, maintain, and use program databases; link program materials to program databases; develop electronic forms and materials; measure and benchmark environmental performance; prepare annual program reports; conduct facility and company site visits; and stay up-to-date with similar programs; and
- revise program – e.g., study and assess similar programs, evaluate program design, develop new program components or elements; review, revise, or add program criteria; and assist implementation of program changes.

Examples of work activities in this area may include but not be limited to:

- support development, implementation, and revisions to program policies, criteria, and procedures;
- assess and develop methods to evaluate environmental performance of facilities and companies (e.g., review corporate literature, environmental databases, related voluntary programs, compliance screens, media reports, sector trends, program applications, annual progress reports; develop performance measurement tools, metrics, or indicators; conduct environmental performance benchmarking);
- conduct literature surveys of, and assess links between, environmental and economic performance;
- provide research for and prepare Information Collection Requests; and
- provide support for preparation of Federal Register notices.

2) Program Incentives/Benefits/Member Services

In order to attract new members and retain existing members in a performance-based

environmental program, the program sponsor may need to offer them a range of incentives, benefits, and member services (“benefits”). Participation could enable members to implement flexible and potentially more efficient approaches to environmental protection. Program benefits can support even better environmental performance from program members by reducing barriers, fostering innovations, and freeing up resources. Program benefits can include recognition, networking, access to senior EPA officials, consideration for pilot projects, low priority for routine inspections, streamlined reporting, procurement preferences, product labeling, working with states on joint incentives, priority for innovation projects (including pilot and demonstration projects), etc. The range and types of benefits may grow over time.

Examples of work activities in this area may include but not be limited to:

- identify, research, develop, track, and assess program incentives, benefits, and member services for EPA, other federal, state, and other performance-based programs.
- coordinate with Office of Enforcement and Compliance Assurance/OEPI/Regions/states, as appropriate (e.g., develop Memoranda of Agreement [MOAs], pilot-test and/or demonstrate incentives, test innovation projects, provide technical assistance);
- identify and evaluate opportunities for new benefits, and undertake related work efforts (e.g., identify new EPA and state rules; support new rulemakings (including analyzing and estimating regulatory impacts); develop communication plans; provide outreach to current and prospective program members, states, and NGOs);
- work with facilities or organizations to identify and implement innovative strategies that are superior to traditional regulatory models;
- investigate economic benefits from excellent environmental performance by facilities and companies (e.g., insurance rates, investment evaluations);
- provide site visit and technical assistance/feedback to facilities and companies, including assistance with regulatory and enforcement issues;
- provide support for creating a more effective and efficient regulatory system;
- provide support for development of legislative initiatives;
- manage programs that provide membership benefits (e.g., awards, mentoring);
- assistance with recognition of member participation;
- develop products that recognize members and assist members in marketing their participation in the program;
- conduct customer service surveys (including preparation of Information Collection Requests); and
- evaluate the effectiveness of the incentives/benefits/member services and innovations projects.

3) Environmental Management Systems

One of the key underpinnings for facilities in a performance-based environmental program is often to have a strong planning infrastructure, such as through an EMS. An EMS is an organization's systematic effort to meet its environmental requirements and improve its overall

performance. The process or system that it supports should increase a facility's ability to identify and prevent environmental problems, and therefore can be a part of a facility's ability to continuously improve. A performance-based environmental program may have several areas of focus in working on EMSs, including but not limited to:

- review EMSs of program members to provide feedback;
- work with states and various associations and agencies to help them develop an EMS or EMS guidance consistent with program requirements;
- assist facilities develop EMSs;
- provide third-party audits of EMSs;
- assess roles, document results, and evaluate impacts of EMSs; and
- document how EMSs are promoted and adopted.

4) Market Research and Outreach Support

In order to increase the impact of performance-based environmental programs, environmental programs must market themselves to a wide audience of businesses and public sector facilities. The contractor shall be informed about the respective programs and be sensitive to programmatic issues to assist in their outreach. Market research will be needed to support the programs in meeting their goals of increasing membership and raising awareness. Projects may include but not be limited to:

- identify lists of potential program members, places to market the program, and other methods to leverage resources in marketing the program to prospective new members;
- recruit new program members via a range of media;
- identify methods to collect, maintain, and disseminate information and data about members via a range of distribution points (including website and database management);
- support for the recognition of program members;
- evaluate the effectiveness of outreach; and
- survey program members for feedback (including preparing Information Collection Requests).

5) Program Marketing/Branding

In addition to market research and outreach, another critical component for a performance-based environmental program can be in marketing the program brand that has been developed in order to capture and convey the key messages of existing and future phases of the program. Projects may include but not be limited to:

- develop and review key EPA, other federal, state, and other program messages, audiences, and barriers to enhance brand recognition and to identify opportunities for collaboration;
- manage program attendance at conferences and trade shows, including paying registration

- and shipping for meeting booth/table display;
- develop program promotional materials that will use various methods to distribute information;
- design media/marketing strategies;
- develop articles for the various media;
- develop website content;
- obtain member feedback; and
- evaluate the effectiveness of outreach.

6) Meeting Planning/Logistics/Facilitation

Support will be needed for holding program meetings or planning outreach, networking, and recognition events to spread the word about how members are improving their environmental performance. Support is also needed to work with program partners, including EPA Headquarters, Regions, states, industry, trade associations, NGOs, the public, and others. In order to encourage new facilities or companies to satisfy program entry criteria, and to motivate existing members to take even more steps to improve environmental performance, performance-based environmental programs can be expected to host multiple events each year.

Examples of work activities in this area may include but not be limited to support for:

- conference calls with Regions, states, facilities, companies, etc.;
- program meetings (e.g., annual meetings, discussion groups, focus groups, tele-seminars, division retreats, strategy planning sessions; with Headquarters, Regions, states, facilities, companies, NGOs, the public, and trade associations);
- recruitment workshops and recognition events;
- program announcements;
- meeting logistics, planning, and content; and
- meeting facilitation.

Tasks may include but not be limited to:

- identifying and reserving meeting space;
- making hotel reservations;
- providing or renting equipment;
- facilitating meetings;
- preparing invitations;
- developing agendas;
- developing meeting materials;
- taking notes or recording, and providing summaries, of meetings; and
- preparing reports.

C. Documentation

The Contractor shall fully substantiate and document all of its work effort. Thus, reports submitted by the Contractor that contain recommendations to the Agency shall explain and rank policy or action alternatives, describe the procedure used to arrive at recommendations, summarize the substance of deliberations, report any dissenting views, list the sources relied upon, and make clear the methods and considerations upon which the recommendations are based.